



STATE OF CALIFORNIA
**Department of
Corporations**

EXAMINATION ANNOUNCEMENT FOR

CORPORATIONS COUNSEL

OPEN – STATEWIDE/CONTINUOUS FILING

AN EQUAL OPPORTUNITY EMPLOYER TO ALL REGARDLESS OF RACE, COLOR, CREED, NATIONAL ORIGIN, ANCESTRY, SEX, MARITAL STATUS, DISABILITY, RELIGIOUS OR POLITICAL AFFILIATION, AGE OR SEXUAL ORIENTATION.

IT IS AN OBJECTIVE OF THE STATE OF CALIFORNIA TO ACHIEVE A DRUG-FREE STATE WORKPLACE. ANY APPLICANT FOR STATE EMPLOYMENT WILL BE EXPECTED TO BEHAVE IN ACCORDANCE WITH THIS OBJECTIVE BECAUSE THE USE OF ILLEGAL DRUGS IS CONSISTENT WITH THE LAW OF THE STATE, THE RULES GOVERNING CIVIL SERVICE, AND THE SPECIAL TRUST PLACED IN PUBLIC SERVANTS.

CORPORATIONS COUNSEL

Exam Code: 9CPXX

OPEN - STATEWIDE

HOW TO APPLY

RESUMES ALONE WILL NOT BE ACCEPTED. Applications (Form 678) must be postmarked no later than the final filing date. Applications postmarked, personally delivered after 5:00 p.m., or received via interoffice mail after the final filing date will not be accepted. Applications are available and must be filed in person or by mail with the Department of Corporations, Attn: Personnel Office, 980 9th Street, Suite 500, Sacramento, CA 95814, telephone (916) 445-6351.

SUBMIT APPLICATIONS ONLY TO THE ABOVE LISTED ADDRESS.

If you have a disability and need special testing arrangements, mark the appropriate section of the "Application for Examination". You will be contacted about specific arrangements.

FINAL FILING DATE:

Applications will be accepted on a continuous basis. Competitor's applications received by a specific, pre-advertised, final file date, shall be processed for that testing period. Qualified competitors shall be sent test materials three weeks following the final file date (see below) and score results of successful competitors shall be merged onto the employment list.

A candidate may be tested only once during any testing period. The testing period for this examination is January 1 – December 31. The final file date will be sometime in:

June/July

NO WRITTEN TEST IS REQUIRED

See "Examination Information" section of this bulletin. The examination will consist of a self-assessment-supplemental-application (SASA).

SALARY RANGE:

Range A - \$3511 - \$3854	Range B - \$4072 - \$4438
Range C - \$4872 - \$5891	Range D - \$5484 - \$6763

Based upon the appropriate alternate range criteria, incumbents may advance to Range B, C and D and are assigned progressively more difficult legal work. Incumbents assigned to Range D are assigned the more complex and sensitive legal work in the classification. Alternate salary ranges are based on the length of legal experience acquired after admittance to the California State Bar.

Alternate Range Criteria 254:

When an employee enters State service in the classification of Corporations Counsel, s/he shall be eligible for appointment to the appropriate range in terms of the following criteria:

Experience gained outside State service may be credited only if the appointing power believes the experience was satisfactory and comparable in type and quality to that of Corporations Counsel.

Experience in the practice of law is defined as only that legal experience acquired after admission to the California State Bar.

Range A: This range shall apply to individuals who are active members of the California State Bar and who do not meet the criteria for payment in Range B, C or D.

Range B: This range shall apply to individuals who are active members of the California State Bar and who, in addition, have satisfactorily completed one year of legal experience in a classification with a level of responsibility equivalent to Corporations Counsel, Range A, or who have evidence of satisfactory completion of one year of experience in the practice of law outside of State service performing duties equivalent to Corporations Counsel.

Range C: This range shall apply to individuals who are active members of the California State Bar and who, in addition, have satisfactorily completed one year of legal experience in a classification with a level of responsibility equivalent to Corporations Counsel, Range B, or who have evidence of satisfactory completion of three years of responsible experience in the practice of law outside of State service performing duties equivalent to Corporations Counsel.

Range D: This range shall apply to individuals who are active members of the California State Bar and who, in addition, have satisfactorily completed two years of experience in a classification with a level of responsibility equivalent to Corporations Counsel, Range C, or who have evidence of satisfactory completion of five years of responsible experience in the practice of law outside of State service performing duties equivalent to Corporations Counsel.

When the requirements of the criteria for a range are met and the appointing power so recommends, the employee shall move to the appropriate rate in the higher range under the provisions of Section 599.676 of Title 2 of the California Administrative Code.

REQUIREMENTS FOR ADMITTANCE TO THE EXAMINATION

Membership in the California State Bar. (Applicants must have active membership in the California State Bar before they will be eligible for appointment. Applicants who are not members of the California State Bar but who are eligible to take the California State Bar examination will be admitted to the examination but will not be considered eligible for appointment until they are admitted to the California State Bar).

Applicants who are members of the California State Bar must show their membership number and admission date on their application. **APPLICATIONS RECEIVED WITHOUT THIS INFORMATION WILL BE DISQUALIFIED.**

If you are **NOT** an active member of the California State Bar, you must indicate your eligibility for the California State Bar by indicating the name of the accredited institution for law you attended; semester/quarter units completed; degree received and date of completion. This information must be indicated on form 678. **APPLICATIONS RECEIVED WITHOUT THIS INFORMATION WILL BE DISQUALIFIED.**

Note: All applicants must meet the education and/or experience requirements for this examination by the final file date.

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

CORPORATIONS COUNSEL

OK70-6187

Exam Code: 9CPXX

FINAL FILING DATE: Continuous

THE POSITION

A Corporations Counsel studies, interprets and applies laws, regulations, court decisions and other legal authorities to matters under the jurisdiction of the Commissioner of Corporations. Typical tasks include but are not limited to: acting upon complex securities law qualification applications involving sophisticated and unique business organizations; acting upon complex applications for registration under the Franchise Investment Law; drafting orders, pleadings and handling administrative hearings to defend orders issued under all laws under the Commissioner's jurisdiction; intervening in bankruptcy proceedings; preparing and filing amicus curiae briefs in State and Federal appellate court; co-counseling criminal jury and non-jury trials; preparing and filing civil injunctive actions under all laws under the Commissioner's jurisdiction; handling law and motion practice, appellate practice and pre-trial discovery practice under all laws under the Commissioner's jurisdiction, as well as against writs of mandate and prohibition and damage suits alleging misconduct by the Commissioner or the staff of the Department of Corporations; acting upon licensing applications for pre-paid health care service plans and monitoring those plans for continuing compliance with the financial responsibility and quality of care requirements of the Knox-Keene Act; drafting legislation, rules and interpretative opinions under all laws over which the Commissioner has jurisdiction; working with advisory committees, citizens groups, legislators and professional associations on studies of ways to improve the laws under the Commissioner's jurisdiction; negotiating with outside counsel the terms and conditions of qualifications and registrations; and acting as presenting attorney or as hearing officer in connection with administrative proceedings to deny applications or registration, or at fairness hearings or hearings under Sections 1101.1 or 1001 of the Corporations Code.

EXAMINATION INFORMATION

No written or oral interview test is required. This examination will consist of a Self-Assessment-Supplemental-Application (SASA). In order to obtain a position on the eligible list, a minimum rating of 70% must be attained.

SELF-ASSESSMENT-SUPPLEMENTAL-APPLICATION (SASA)
Weighted 100%

Candidates who meet the Requirements for Admittance to the Examination will be mailed a SASA three weeks after the final file date. The SASA is designed to elicit a range of specific information regarding each competitor's knowledge, skills, abilities and potential to effectively perform the duties relative to the classification being tested.

RETURN OF THE SELF-ASSESSMENT-SUPPLEMENTAL-APPLICATION IS MANDATORY. Competitors who do not return the completed SASA will be eliminated from the examination.

SCOPE

In addition to evaluating the competitor's relative abilities as demonstrated by quality and breadth of experience, emphasis in the SASA examination will be on measuring competitively, relative to job demands, each competitor's:

A. Knowledge of:

1. Legal principles and their application with particular reference to statutes administered by the Department of Corporations (Knox-Keene Health Care Service Plan Act, Workers' Compensation Health Care Provided Organization Act, Corporate Securities Law, Franchise Investment Law, Commodity Law, Escrow Law, Check Sellers, Bill Payers & Proraters Law, California Finance Lenders Law, California Residential Mortgage Lenders Act, Bucket Shop Law, Community Land Chest Law, Limited Dividend Housing Corporation Law, Securities Depository Law).
2. Scope and character of California statutory laws and provisions of the California Constitution administered by the Department of Corporations.
3. Legal research methods.
4. Principles of administrative constitutional law.
5. Rules of evidence and conduct of proceedings, before administrative bodies in trial and appellate courts of California and the United States.
6. Duties and powers of the Commissioner of Corporations.
7. General principles of business law.

B. Ability to:

1. Prepare, present and handle legal cases.
2. Perform research.
3. Analyze difficult and complex legal problems, and apply legal Statements of fact, law and argument clearly and logically in written and oral form.
4. Analyze and draft proposed legislative measures.
5. Handle difficult legal correspondence.
6. Direct and coordinate the work of clerical and professional assistants and co-workers.
7. Analyze situations accurately and adopt an effective course of action.

ELIGIBLE LIST INFORMATION

Candidates attaining list eligibility shall be merged onto the existing list. Eligibility is for 12 months, unless the needs of the service warrant a change in this period.

VETERAN'S PREFERENCE

Veterans' preference credit will be added to the final score of all competitors who are successful in this examination and who qualify for, and have requested these points. (Form 1093 must be on file with the State Personnel Board – see GENERAL INFORMATION section for details).

If you have any questions concerning this announcement, please contact the Department of Corporations, Examination and Certification Processing Unit, 980 9th Street, Suite 500, Sacramento, CA 95814, (916) 445-6351.

GENERAL INFORMATION

It is the candidate's responsibility to contact the Examination Services Unit of the Department of Corporations, (916) 327-2442 three days prior to the written test date if they have not received their notice.

For an examination without a written feature, it is the candidate's responsibility to contact the Examination Services Unit of the Department of Corporations at (916) 327-2442 three weeks after the final filing date if they have not received a progress notice.

If a candidate's notice of oral interview or performance test fails to reach them prior to the day of the interview due to a verified postal error, they will be scheduled upon written request.

Applications are available at the State Personnel Board offices; local offices of the Employment Development Department, the Department of Corporations and the State Personnel Board's web site @ <http://www.spb.ca.gov>.

If you meet the requirements stated on this bulletin, you may take this examination, which is competitive. Possession of the entrance requirement does not assure a place on the eligible list. Your performance in the examination described on the other side of this bulletin will be compared with the performance of the others who take this test, and all candidates who pass will be ranked according to their scores.

The State Personnel Board reserves the right to revise the examination plan to better the needs of the service if the circumstances under which this examination was planned change. Such revision(s) will be in accordance with civil service laws and rules and all competitors will be notified.

Examination Locations: When a written test is part of the examination, it will be given in such places in California as the number of candidates and conditions warrant. Ordinarily, qualification appraisal interviews are scheduled in Sacramento, San Francisco and Los Angeles. However, locations of interviews may be limited or extended as conditions warrant.

Eligible Lists: Eligible lists established by competitive examination, regardless of date, must be used in the following order: 1) sub-divisional promotional; 2) departmental promotional; 3) multi-departmental promotional; 4) service-wide promotional; 5) departmental open; and 6) open eligible list. When there are two list of the same kind, the older must be used first. Eligible lists will expire in one to four years unless otherwise stated on this bulletin. In the case of continuous testing examinations, names are merged into the appropriate lists in order of final test scores (except as modified by veterans preference credits) regardless of the date of the test and the resulting eligible lists will be used only to fill vacancies in the area shown on the bulletin.

Promotional Examinations Only: Competition is limited to employees who have a permanent civil service appointment with the testing department or must be: 1) a current or former legislative employee meeting the criteria defined in Government Code (GC) Section 18990; or 2) an exempt employee meeting the criteria defined in GC Section 18992 at the time their application is filed, in order to take the examination. Under certain circumstances other employees may be allowed to compete under provisions of Rules 234, 235, and 235.2. State Personnel Board Rules 233, 234, 235, 235.2 and 237 contain provisions regarding civil service status and eligibility for promotional examinations. These rules may be reviewed at departmental personnel offices or at the Information Counter if the State Personnel Board.

General qualifications: Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others; and a state of health consistent with the ability to perform the assigned duties of the class. A medical examination may be required. In open examinations, investigation may be made of employment records and personal history and fingerprinting may be required.

Interview Scope: If an interview is conducted, in addition to the scope described on the other side of this bulletin, the panel will consider education, experience, personal development, personal traits, and fitness. In appraising experience, more weight will be given to the breadth and recency of pertinent experience and evidence of the candidate's ability to accept and fulfill increasing responsibilities than the length of their experience. Evaluation of a candidate's personal development will include consideration of their recognition of their own training needs, their plans for self-development; and the progress they have made in their efforts toward self-development.

High School Equivalence: Equivalence to completion of the 12th grade may be demonstrated in any of the following ways: 1) passing General Education Development (GED) Test; 2) completion of 12 semester units of college work; 3) certification from the State Department of Education, a local school board, or high school authorities that the candidate is considered to have education equivalent to graduation from high school; or 4) for clerical and accounting classes, substitution of business college work in place of high school on a year-for-year basis.

Rule 235: An employee who has moved from one agency without a break in service may participate in the promotional examination for the agency from which that employee moved while employed under probationary status, limited-term appointment, or temporary authorization (TAU). If a promotional examination is being held for an agency to establish an employment list for an administrative, professional or technical class, an employee of another agency who is otherwise eligible may participate if that employee had promotional eligibility in the designated agency at the time within the three years of the date of examination and has had no subsequent break in state service by resignation, non-disability retirement or removal for cause.

Veterans Preference: California law allows the granting of Veterans Preference Points in Open entrance and Open-Nonpromotional examinations. Veterans Preference Points will be added to the final score of all competitors who are successful in this examination and qualify for and have requested these points. Credit in open entrance examinations is granted as follows: 10 points for veterans, widows and widowers of veterans, and spouses of 100% disabled veterans; and 15 points for disabled veterans. Credit in open-nonpromotional examinations is granted as follows: 5 points for veterans; and 10 points for disabled veterans. Directions for apply for Veterans Preference Points are on the Veteran Preference Application (Form 1093) which is available from the State Personnel Board offices, written test proctors, and the Department of Veterans Affairs, P.O. Box 942895, Sacramento, CA 94295-0001.

Career Credits: In open-nonpromotional examinations, career credits are granted to: 1) State employees with permanent civil service status, 2) full-time employees of the State who are exempt from State civil service pursuant to the provisions of Section 4 of Article VII of the California Constitution, and who meet all qualification requirements specified by the Board and have 12 consecutive months of service in an exempt position, and 3) individuals who have served one full year in, or are graduates of, the California Conservation Corps (eligibility shall expire 24 months after graduation from the California Conservation Corps). Three points are added to the final test score of those candidates who meet the above criteria, and who are successful in the examination. Such examinations cannot be for managerial positions described in Government Code Section 3513. Competitors not currently employed in State civil service who have mandatory reinstatement rights may also be eligible for career credits, but they must explain their civil service status in the appropriate section of the application Form 100-678. (Section 4 of Article VII of the California Constitution is posted at the State Personnel Board, 801 Capitol Mall, Sacramento.)

TDD is Telecommunications Device for the Deaf and is reachable only from phones equipped with a TDD Device.

California Relay (Telephone) service for the deaf or hearing-impaired:

From TDD Phone: 1-800-735-2929

From Voice Phone: 1-800-735-2922